The Proceedings at the Sessions of Oyer and Terminer Held at the Sessions-House in the OLD-BAILY,

For the City of *London*, County of *Middlesex*, and Goal-Delivery of *Newgate*, which began on the 29*th* of *August* and ended on the 30*th* Instant, but Especially the Tryals of *S. Tuston*, and *Job Culfant*.

Anthony Adington was Indicted, Arraigned and brought upon his Tryal for a Fellony and Burglary, committed on the House of *Edward Page* in the Parish of Little St. *Bartholomews*, which upon evidence appeared in this manner, *viz.* The House of the Prosecutor being Broak-open in the Night time, and six Silver *Tankards* taken thence to the Value of 30 *l.* the next Morning a pick Lock Key was found in the Cupboard from whence the Plate was taken, when some suspition Arising of the Prisoner, he was pursued, and taken at *Lambeth Marsh*, as he was entring a suspitious House, and upon search, a pick Lock Key found in the said House, so that the Prisoner having been Burnt in the Hand, and upon suspition Committed to *Bridewel* in *Southwark*, where he confessed to one *Rose* that he had the Plate, but it was too deep gone to be recovered, though at his Tryal he pleaded Ignorance, and called some witnesses, but one being as Scandalous as himself, the was Committed to Custody, he was found Guilty of the Fellony.

Francis Marsh was Tryed for picking a Watch and about 30 *s.* in Mony out of the Pocket of one *Edward Brooks*, when in Court upon Oath it appeared, that the Prisoner was in Company of another Woman, picked up the Prosecutor in *Fleet-street* and proffered either to give or take a Bottle of Wine, which agreed on, they went to the *Green Dragon Tavern*, and there Hug'd him so long till they had pickt his Pocket of the Watch and Mony aforesaid, but he presently missing them, upon search found the Watch about the Prisoner, her Plea was, that she having a wicked Husband that lived with another Woman, he had set her the Prosecutor to take away her Life, to be rid of her, denying that she ever had the Watch, but confessed the fact, but it being Evident, she was found Guilty of the Fellony and Robbery.

Samuel Tuston Esq; Captain of his Majesties Foot Guards, was Tryed for Killing *Joseph Hasselwood*, in *Lincolns Inn Fields* on the 21*st* of *July* last, which upon evidence appeared in this manner; The Prisoner being at the Head of his Company, to be Assisting to the Sheriffs in the performance of their Office, upon the Execution of the Lord *Russel*, when the said Lord *Russel* was brought in his Coach, he caused his stand of Pikes to charge, in Order to keep off the Throng, when on the out-side of the Companies, there being a Ring made by the Constables and Bill-Men of the *Hamlets*, the Deceased being one of them, it unfortunately happened, that the Prisoner pushing with his Pike or leading Staff, struck him on the Breast, into which towards the Left-side the head of the Staff entred four Inches, upon which the Deceased cryed out he was a Dead Man, Vomiting Blood at his Mouth, and desiring those that stood by to Seize the Prisoner, saying he had Killed him, and within less then an hour after Died. This being sworn on the part of the King by divers witnesses, the Prisoners witnesses were called, who declared, that the Constables and their Assistance had Orders not to Enter the Field, but to keep Guard in *Holbourn*, that they pressed hard upon the Guards, which obliged them to charge their Pikes for the keeping their Orders clear, that at the time the Pikes were so charged, and the wound given, the Prisoner stood on the Right-side of the Pikes, and that the wound was received on the Left, which could not probably be done, and that the Prisoners Pike was at least a yard shorter then any of them, and that in all likelihood it was given by some other, and further alledged, that by reason of a weakness in his Arme, he was not capable of giving such a Thrust, and that he was a Man not subject to passion or rash Actions, whereupon he was found Guilty of Man-Slaughter only.

Joseph Curtis, and *Peter Neverson* were Tryed for Stealing a Silver *Tankard*, Valued 4 *l.* from one *William Mace* in St. *Magnes* parish on the 7*th*. of *August* last, which Fact being plain, they were both found Guilty of the Fellony.

Thomas Norton took his Tryal upon an Indictment of Fellony and Burglary, for Breaking the House of *John Hopton* of St. *Sepulchers* Parish, and Stealing out Coats, Cloaks, and Breeches, and the like, upon which it was Alleadged that the Prisoner working in the House

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and knowing the ways of it, had the better opportunity to get in at the Garret-Window, and what will rather induce the Evidence to believe was, that he was taken with a pair of Breeches loſt at that time, to which he answered, he found them in *Wapping*, but not being able to prove his Allegation, he was found Guilty of the Fellony, though not of the Burglary.

Edward Daniel was Tryed upon two Indictments, one of Fellony and Murther, and another for Fellony and Manſlaughter, upon the Inquiſition of the Coroner for Killing *Edmund Deering*, on the firſt of *Auguſt*, in the Pariſh of *New-Branford*; the Evidence thus, the Priſoner, the Deceaſed, and one *Charles Macarty* (not yet taken) being at a Houſe in the ſaid Town, a Quarrel aroſe about Drinking Healths, ſo that the Deceaſed and *Macarty* drew about words, and ſinging a Brandy-pot, but being parted; Soon after a differance happened between the Priſoner and the Deceaſed, upon the formers taking *Macartys* part, but notwithſtanding, being ſeemingly made Friends, they contrary to the expectation of the Company went out and Fought, where after ſome paſſes, the Deceaſed received a Wound, of which in a ſhort time he Dyed, but no Malice appearing, the Inquiſition of Man-Slaughter was only found.

John Smith was Tryed for Stealing a Parliament Robe, from a Perſon unknown, the which upon his offering it to Sail in *Biſhopſgate-ſtreet*, was ſtopped, and he giving no ſatisfactory account where he had it, he was committed, and upon his Tryal alleaged that he found it between *Hackney* and *London*, taking it to be an Aldermans Gown, but that Story appearing Frivilous, he was found Guilty of Fellony.

William Smith was Tryed upon two Indictments, one for Stealing Cloath from *Oliver Sams*, and another for doing the like by *Richard Kemps*, both which appearing plain by his former Confeſſion, and part of the Goods being found about him, he was found Guilty to the Value of 10 *d.*

Sarah Parſon was Tryed for Robbing *Thomas Midwinter*, of St. *Botolphs*, on the Third of *September* laſt, of ſix Coats, four Petticoats, a Parſons Gown, and divers other Cloaths, which She confeſſed to have delivered to one *Elizabeth Thompſon*, whereupon by her own confeſſion ſhe was Convicted.

John Bowman was Tryed for Killing *Thomas Haydon*, by running over him with his Cart, but it appearing upon Evidence that the Child fell juſt under the Wheel, and that the Priſoner neither ſaw it nor could have prevented it, if he had the Fact was found *Chance-Medley*, and he acquitted.

This day the Wife of Mr. *John Crosby*, Preſented a Petition to the Court purporting that ſeeing her Husband was committed Priſoner to the *Gate-Houſe* for *High-Treſon* and had continued there a conſiderable time to the great prejudice of his Family, he Humbly beſought the Honourable Bench that he might be Tryed or Bailed, but he being committed before the laſt Seſſions, and not taking the benefit thereof to make his Prayer, it was the opinion of the Court that he had over-ſtayed the benefit of the Act, and that it lay not in their Power to grant his Requeſt.

Auguſtine Hankinſon and *Humphry Steech*, took their Tryals for Stealing a Campaign-Coat, from one *Robert Clark* in *January* laſt, but they producing divers to atteſt his former Honeſty and good Behaviour, ſo that in the end the Jurors ſuppoſing the Witneſſes might be miſtaken in the Coat, Mr. *Clark* himſelf not poſitively owning it, they acquitted the Priſoners.

James Knowel was Tryed for Killing *George Atkinſon* on the 3d of *July* laſt, which appeared upon evidence, that the Priſoner & Deceaſed, Drinking together many hours, at laſt fell to quareling, but being both pacified, they went together into the Field, and there drew upon each other, after divers paſſes, the latter received a Mortal wound in the Belly, of which he Died, but the Priſoner pleading he did it in his own Defence, and no former Malice appearing, he was found Guilty only of Man Slaughter.

Gabriel Whingard, *Richard Goodman*, *Thomas Rubard*, and *John Everard*, were Tryed the firſt for Killing, and the reſt for being acceſſary to the Murther of *Rd. Lake*, when upon evidence it appeared that on the 9th of *July* laſt, they drinking together in an Ale-Houſe in St. *Martins-Lane* Fought, *viz. Whingard* and *Lake*, ſo that the latter by a fall had his Jaw broken, of which within 4 days he Dyed, ſo that *Whingard* was found Guilty of Man Slaughter, but the reſt acquitted, it not appearing they were any ways Aiding or Abetting.

John Culefant was Tryed for Printing, and Publiſhing, two Scandalous and Seditious Libels, the one Intituled, *The Second part of the Growth of Popery*, and the other, *The Second part of Ignoramus Juſtice*, and it being proved, he brought the Copy, Corrected the Proofs, and Incouraged the Work, he was found Guilty of the miſdemeanour.

James Hancock was Tryed for Stealing a Silver Tankard from *Wm. Church*, in *Aware-Corner*, the which being plainly proved, and he being before Burnt in the Hand, he was found Guilty of the Fellony.

Jane Wood was Tryed and found Guilty for Stealing three Silver Cups and a Pinner from *William Woodall* of *White-Chappel*, on the 18 of *July* laſt.

John Robinſon was found Guilty of Petty Larcenary, for Stealing Lace, Tape, Parchment and the like, on the 15 of *Auguſt*, from *Elizabeth Adams* of St. *Giles's* in the Fields.

Richard Smith was Tryed and found Guilty for Picking the Pocket of *Anne Reed*, of one Guinea and a Broad-Piece, on the 19 of *June* laſt.

Elizabeth Bird, was Tryed and Convicted for Stealing Knives, Swords, Canes, and Whips, to the Value of 20 *l.* from *Abraham Warwick* in St. *Martins Lane*, on the 27 of *May* laſt.

This Seſſions five Perſons received Sentence of Death, *viz. Richard Smith*, *Sarah Parſon*, *Mary Mayle*, *Elizabeth Bird*, and *Frances Marſhall*. Five Baths in the Hand, viz. *Edward Daniel*, *Gabriel Whingard*, *Jane Wood*, *John Robinſon*, and *Thomas Rubard*, Found guilty for Transportation, viz. *Henry Hancock*, *Joſeph Curtis*, *Peter Peterſon*, and *Laurence Adamſon*. Two Sentenced to be Whipped, viz. *John Robinſon* and *William Smith*. And Laſtly, *John Culefant* was Fined Two Hundred pounds to the King, and ſet in the Pillory, once at the Royal Exchange, and once at *Charing-Croſs*, to continue in Priſon till the Fine be payed, and give Security for his good Behaviour, during the ſpace of two Years. And ſo Ended the Seſſions.

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